

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA and
THE STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORPORATION, *et al.*,

Defendants.

**ORDER GRANTING PLAINTIFFS' MOTION FOR A PROTECTIVE ORDER
REGARDING DEFENDANT MENASHA CORPORATION'S NOTICES OF
DEPOSITION PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6)**

Pursuant to Fed. R. Civ. P. 30(b)(6), Defendant Menasha Corporation noticed the depositions of the State of Wisconsin and the United States for August 31, 2012 on numerous topics. The Plaintiffs responded by identifying nine witnesses who will address those topics as their designees under Rule 30(b)(6), including seven individuals who are already due to be deposed between August 20 and August 31, 2012. The Plaintiffs have filed a motion for a protective order to prevent the Defendants from conducting multiple depositions of each witness based on the issuance of separate deposition notices under Rule 30(b)(1) and 30(b)(6). The Plaintiffs also move for an order allowing them to provide information on Topic 10 of Menasha's Rule 30(b)(6) notice to the United States and Topic 11 of Menasha's Rule 30(b)(6) notice to the State of Wisconsin as a response to a deposition by written questions under Rule 31(a)(4), rather than by oral depositions.

NOW, THEREFORE, in light of the Plaintiffs' motion, and good cause appearing,

IT IS HEREBY ORDERED:

If the Plaintiffs make an individual witness available for a deposition as scheduled between now and August 31, 2012, then the Defendants will not be allowed to depose the same witness again as a Rule 30(b)(6) designee during this phase of discovery. Further, the Plaintiffs are allowed to respond to Topic 10 of Menasha's Rule 30(b)(6) notice to the United States and Topic 11 of Menasha's Rule 30(b)(6) notice to the State of Wisconsin as a response to a deposition by written questions pursuant to Fed. R. Civ. P. 31(a)(4).

Dated this 24th day of August, 2012.

s/William C. Griesbach
William C. Griesbach
United States District Judge